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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,113	03/25/2004	Peter Arthur Schade	2797P	8045

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EXAMINER

SORRELL, ERON J

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 09/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/810,113

Applicant(s)

SCHADE, PETER ARTHUR

Examiner

Eron J. Sorrell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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**DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/1/05 has been entered.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-5, 7-10, and 11-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Bouchier et al. (U.S. Patent No. 6,839,771 hereinafter "Bouchier").

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4. Referring to apparatus claims 1 and 12, Bouchier teaches a device comprising:

a processor (see lines 47 of column 4 to line 2 of column 5); and

a single I/O interface coupled to the processor, comprising a host port; and a peripheral port wherein the host port and the peripheral port are defined using predetermined signals and wherein the peripheral port and the host port are both active at the same time (see lines 47 of column 4 to line 2 of column 5, not the USB device communicate in a peer-to-peer relationship).

5. Referring to claim 7, Bouchier teaches a USB network comprising:

a first device; the first device including a single I/O interface, the interface including a host port and a peripheral port, wherein the host port and the peripheral port are defined using predetermined signals (see figure 2 and line 47 of column 4 to line 2 of column 5); and

a second device for communicating with the first device, the second device using the predetermined signals, wherein the peripheral port and the host port are both

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active at the same time (see figure 2 and lines 17-32 of column 5).

6. Referring to claims 2, 8, and 9, Bouchier teaches the host a peripheral ports are USB ports and the predetermined signals are within the USB standard (see lines 47 of column 4 to line 2 of column 5).

7. Referring to claim 3, Bouchier teaches the two connected devices utilizing the single I/O interface can have a peer-to-peer connection via the host port and the peripheral port (see lines 17-32 of column 5).

8. Referring to claim 4, Bouchier teaches two connected devices using a single I/O interface can have a one-to-many relationship via either the host port and/or the peripheral port (see figure 2 and lines 17-32 of column 5).

9. Referring to claims 5 and 13, Bouchier teaches the device needs only one physical I/O port via the connector that includes a host port and a peripheral port which are defined using the predetermined signals (see items labeled USB controller in figure 2).

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10. Referring to claim 10, Bouchier teaches the first and second device can any of a camera, a computer, a personal digital assistant, laptop device, handheld device, printer, and cellular phone (see lines 17-32 of column 5).

*Claim Rejections - 35 USC § 103*

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 6,11, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bouchier in view of Hanson et al. (U.S. Patent No. 6,460,094 hereinafter "Hansen").

13. Referring to claims 6,11, and 14, Bouchier fails to teach the predetermined signals comprise host differential data lines and peripheral differential data lines.

Hansen teaches, in an analogous system, the above limitations (see lines 52-65 of column 4).

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It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the apparatus and system of Bouchier with the above teachings of Hansen. One of ordinary skill in the art would have been motivated to make such modification in order to use the USB devices in legacy USB systems.

#### *Response to Arguments*

14. Applicant's arguments with respect to claims 1, 7, and 12 have been considered but are moot in view of the new ground(s) of rejection.

#### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eron J. Sorrell whose telephone number is 571 272-4160. The examiner can normally be reached on Monday-Friday 9:00AM - 5:30PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 571-272-4083. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EJS

September 23, 2005



**KIM HUYNH**  
**PRIMARY EXAMINER**  
9/23/05